

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

IN RE:

SEAN M. MURRAY,

CHAPTER 7

DEBTOR.

CASE NO. 17-44157

SEAN M. MURRAY,

Plaintiff,

ADV. PRO. CASE NO. 18-01141

-against-

JUDGE: Hon. Elizabeth S. Stong

JOHN AND JANE DOE CORPORATIONS
AND ENTITIES, SPECIALIZED LOAN
SERVICING, LLC AND NATIONSTAR
MORTGAGE LLC D/B/A MR COOPER, AS
SERVICING AGENTS FOR FEDERAL
HOME LOAN MORTGAGE CORPORATION,

Defendants.

SLS' OBJECTION TO PLAINTIFF'S PURPORTED DISCOVERY DEMAND

Specialized Loan Servicing, LLC (“SLS” or “Defendant”), by and through its attorneys, Shapiro, DiCaro & Barak, LLC, hereby objects to the Debtor’s Discovery Demands (the “Discovery Demand”), dated October 4, 2019 as follows:

1. At the hearing which took place on September 23, 2019, the Court extended discovery, and permitted the Debtor to file an additional discovery response to clarify the remaining outstanding items.

2. On October 4, 2019, the Court entered a Scheduling Order directing the Debtor to serve all written discovery requests by October 4, 2019.

3. The document filed on the record, entitled “Plaintiff’s Discovery Demands,” was date stamped by the Clerk’s office on October 11, 2019, and filed that same day.

4. The purported discovery demand does not comply with the Court's direction to provide clarity about what document requests remain outstanding, but instead contains a generalized re-assertion of the Debtor's initial discovery request.

5. In addition, there is a generalized request for a deposition against any party attesting personal knowledge of facts or events in affidavits filed on behalf of defendants.

6. SLS contests that this does not constitute sufficient notice of any proposed deposition pursuant to Fed. R. Bankr. P. 7030(b)(1) as it does not provide sufficient information to identify the parties in question.

7. It is worth noting that the Debtor continues to file discovery demands merely addressing all defendants collectively. SLS reiterates its request that any discovery demand or other pleading clearly delineate which party it is addressed to.

Dated: October 31, 2019
Melville, New York

Respectfully submitted,

/s/ Robert W. Griswold
Robert W. Griswold
Bankruptcy Attorney
Shapiro, DiCaro & Barak, LLC
Attorneys for Specialized Loan Servicing, LLC
One Huntington Quadrangle, Suite 3N05
Melville, NY 11747
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AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
)
COUNTY OF MONROE)ss:
)

I, Ariane B. Drew, being sworn, say, I am not a party to this action; I am over 18 years of age, I reside in Rochester, New York.

On November 1, 2019 I served the within Objection upon:

TO:

Debtor Appearing Pro Se

Sean M. Murray
PO Box 1110
Albany, NY 12201

Cleo f Sharaf
Ras Boriskin
900 Merchants Concourse
Westbury, NY 11590

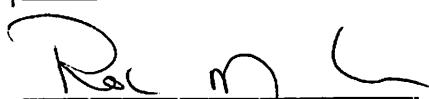
Trustee
Richard J. McCord
Certilman Balin Adler & Hyman
90 Merrick Avenue
East Meadow, NY 11554

U.S. Trustee - Brooklyn
U.S. Federal Office Building
201 Varick Street, Suite 1006
New York, NY 10014

at the addresses designated by the foregoing individuals for that purpose by depositing a true copy of same enclosed in a postpaid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York and via electronic mail.


Ariane B. Drew
Bankruptcy Paralegal
Shapiro, DiCaro & Barak, LLC
Attorneys for Nationstar Mortgage LLC
175 Mile Crossing Boulevard
Rochester, New York 14624
Telephone: (585) 247-9000
Fax: (585) 247-7380

Sworn to before me this
1st day of November, 2019



Notary Public

ROBIN M. CELLURA
Notary Public, State of New York
No. 01CE6020370
Qualified in Monroe County
Commission Expires March 1, 20_____
23